

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GORDAN BATES,

Plaintiff,

v.

STATE OF WISCONSIN - DEPARTMENT
OF WORKFORCE DEVELOPMENT,
STATE OF WISCONSIN - VOCATIONAL
REHABILITATION, ALLIANCE OF IMPARTIAL
HEARING OFFICERS, LESLIE MIRKIN,
MICHAEL GRECO, KAREN LAMBRIGHT,
LINDA VEGOE, MICHAEL SCHNAPP,
DEB HENDERSON-GUETHER, DAVID
BECKER and CLIENT ASSISTANCE PROGRAM.

Defendants

ORDER

08-cv-465-slc

In this lawsuit brought under 42 U.S.C. § 1983, plaintiff Gordan Bates contended that defendants discriminated against him because of his disability in violation of Title II of the Americans with Disabilities Act, 42 U.S.C. § 12132, and made fraudulent representations in violation of Wisconsin's Deceptive Trade Practice Act, Wis. Stat. § 100.18. On June 23, 2009, I granted defendants' motion for summary judgment, entered judgment in defendants' favor and closed the case.

On July 22, 2009, plaintiff filed a notice of appeal from the judgment. Because he has not paid the \$455 fee for filing a notice of appeal, I construe the notice as including a request for leave to proceed in forma pauperis on appeal. Because plaintiff was granted leave to proceed in forma pauperis in this court, he “may proceed on appeal in forma pauperis unless the district court shall certify that the appeal is not taken in good faith or shall find that the party is otherwise not entitled so to proceed.” Fed. R. App. P. 24(a). I cannot certify that the appeal is not taken in good faith and I can see no other reason to deny plaintiff’s request to proceed in forma pauperis.

ORDER

IT IS ORDERED that plaintiff’s motion for leave to proceed in forma pauperis on appeal, dkt. #69, is GRANTED.

Entered this 24th day of July, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge